

**ALLEGED SHIPMENT:** On or about March 27, 1950, by the Dickey Davis Produce Co., from Phoenix, Ariz.

**PRODUCT:** 15 30-pound cans of frozen egg yolks at Los Angeles, Calif.

**LABEL, IN PART:** "Packed by Food Processors, Inc., Norfolk, Nebraska Egg Yolks."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product the egg component of which was deficient in total egg solids had been substituted for a product the egg component of which should contain not less than 43 percent total egg solids.

Misbranding, Section 403 (a), the label designation "Egg Yolks" was false and misleading as applied to the product, the egg component of which contained less than 43 percent total egg solids.

**DISPOSITION:** August 17, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable organization.

## FEEDS AND GRAINS

16582. Misbranding of Super Culture all purpose feed and Special dairy feed. U. S. v. William Hite (Super Culture Sales Co.); (2 informations). Plea of guilty. Imposition of sentence suspended and defendant placed on probation for 2 years. (F. D. C. Nos. 25567, 25575. Sample Nos. 24397-K to 24399-K, incl.)

**INFORMATIONS FILED:** November 24, 1948, and March 14, 1949, District of Minnesota, against William Hite of Mankato, Minn., trading as the Super Culture Sales Co., at Sioux City, Iowa.

**INTERSTATE SHIPMENT:** On or about December 9, 1946, and July 2 and September 22, 1947, from the State of Iowa into the State of Minnesota.

**ALLEGED VIOLATIONS:** (First information). Between the approximate dates of December 15, 1946, and December 12, 1947, while the Super Culture all purpose feed was being held for sale after shipment in interstate commerce, the defendant, at Lake Crystal, Minn., caused certain circulars entitled "Super Culture Feed" and "Guarantee and Refund Contract" to accompany the article, which acts resulted in the article being misbranded.

(Second information). On or about September 23, 1947, the defendant received a quantity of Special dairy feed in interstate commerce at Mankato, Minn., from Sioux City, Iowa, and proffered and delivered such article for pay or otherwise.

**PRODUCT:** Analyses disclosed that the Super Culture all purpose feed consisted of a reddish-colored mixture containing protein (14.90% and 16.51%, respectively, in 2 samples), crude fiber and crude fat, together with salt, soda, iron oxide, and cereal bran; and that the Special dairy feed consisted essentially of a reddish-colored mixture containing 18.60% sulfanilamide and 10% protein, and crude fiber and crude fat, together with salt, soda, iron oxide, cereal bran, and anise.

**NATURE OF CHARGE:** Super Culture all purpose feed. Misbranding, Section 403 (a), certain statements in the circulars accompanying the article were false and misleading. These statements represented and suggested that the article would increase the food value of grains; that it would be efficacious in the cure, mitigation, and treatment of flu, spleen trouble, rickets, abortion, jaundice, worms, and necro in hogs; that the mixing of the article with grain would give

one the best and cheapest feed on earth; that the article would get hogs in a healthy condition; that it would prevent bowel trouble in chicks and increase the egg production of hens; that the article, when used in conjunction with a product known as "Special Dairy Culture" or "Special Dairy Feed," would be efficacious in the cure, mitigation, treatment, and prevention of mastitis; that it would eliminate and correct 80 percent of the dietary troubles and diseases which produce unthriftiness in hogs; and that it would be efficacious in the prevention of white diarrhea, necro, enlargement of the spleen, flu, and worms in brood sows, pigs, and shoats. The article would not be efficacious for the purposes so represented and suggested.

Special dairy feed. Misbranding, Section 403 (a), certain statements on the bags containing the article and upon tags attached to the bags were false and misleading. The statements represented and suggested that the article would be efficacious in the treatment of mastitis, whereas it would not be efficacious for such purpose.

The articles were alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 3198.

DISPOSITION: June 7, 1950. A plea of guilty having been entered, the court suspended the imposition of sentence as to each information and placed the defendant on probation for two years.

**16583. Adulteration and misbranding of fish meal. U. S. v. 51 Bags \* \* \*.**  
(F. D. C. No. 29482. Sample No. 70149-K.)

LIBEL FILED: July 6, 1950, Southern District of Iowa.

ALLEGED SHIPMENT: On or about March 23, 1950, by the Herring Sales Co., from Roseburg, Oreg.

PRODUCT: 51 bags of fish meal at Malvern, Iowa.

LABEL, IN PART: "Fish Meal 60% Protein \* \* \* Not Less Than 5.00% Fibre \* \* \* 100 Lbs. Net Weight."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), soybean meal, cottonseed meal, and blood meal were substituted in part for fish meal.

Misbranding, Section 403 (a), the label statements "Fish Meal 60% Protein \* \* \* Not Less Than 5.00% Fibre" were false and misleading as applied to an article which consisted of soybean meal, cottonseed meal, and blood meal in addition to fish meal, and which contained less protein and more fiber than declared; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient.

DISPOSITION: October 3, 1950. Default decree of condemnation and destruction.

## FISH AND SHELLFISH

**16584. Adulteration of frozen ocean perch fillets. U. S. 1,571 Cartons \* \* \*.**  
(F. D. C. No. 28967. Sample Nos. 60077-K to 60079-K, incl.)

LIBEL FILED: April 10, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about April 3, 1950, by Trident Fisheries, Inc., from Gloucester, Mass.

PRODUCT: 1,571 10-pound cartons of frozen ocean perch fillets at Chicago, Ill.

LABEL, IN PART: "Trident Brand Freshly Frozen Ocean Perch Fillets."